

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

ROBERT SIMS, *et al.*,

Plaintiffs,

v.

BB&T CORPORATION, *et al.*,

Defendants.

No. 1:15-cv-732-CCE-JEP

**PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, REIMBURSEMENT OF
EXPENSES, AND CASE CONTRIBUTION AWARDS FOR NAMED
PLAINTIFFS**

Under Federal Rules of Civil Procedure 23(h) and 54(d)(2), Plaintiffs move that the Court approve an attorneys' fee award to Class Counsel of \$8,000,000 (one-third of the monetary recovery), reimburse Class Counsel's reasonable litigation expenses of \$992,280, and grant incentive awards of \$20,000 each to the Named Plaintiffs Brewster Smith, Erik Gavidia, Stephanie Gavidia, Doris Kirouac, Paula Bridges, Nancy Johnson, Kerri Greaner, Robert Sims, Stacy Holstein, and Patricia Wells for pursuing this action, which is customary in these types of cases.

Class Counsel bore tremendous risk in order to benefit the Class. In spite of this risk, Class Counsel leveraged their experience in 401(k) fee litigation to achieve an efficient resolution of this matter, thereby avoiding the delay and expense of potentially years of litigation and substantial risk of non-recovery for the Class. The requested percentage of the settlement fund is comparable to attorneys' fees awards in similar cases. Based on all

of the relevant factors, and for the reasons stated in Plaintiffs' supporting memorandum, Plaintiffs respectfully request that the Court should grant their motion.

March 1, 2019

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on March 1, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of filing to all counsel of record.

/s/ Jerome J. Schlichter